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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,730	10/24/2003	Luc Leenders	224791	2390
23460 7590 03/22/2007 LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6731			EXAMINER WILLIAMS, KEVIN D	
			ART UNIT	PAPER NUMBER
			2854	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/22/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/693,730	Applicant(s) LEENDERS ET AL.	
	Examiner Kevin D. Williams	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 8, 9, 14, 17, 24, 25, 30, 31, 37, 38, and 43 are rejected under 35 U.S.C. 102(b) as being anticipated by Uchida (US 5,163,999).

Uchida teaches a process for offset printing comprising, applying a printing ink to a printing plate and wetting said printing plate with a fountain comprising a fountain medium comprising between 50% by weight and 100% by weight of water (col. 4, lines 11-16; col. 6, lines 44-46; col. 8, lines 10-14; col. 10, lines 14-16; solution comprises at most 15% organic solvent, 10% thickening agent, and 10% surfactant; remaining part is water), said fountain further comprising as a solution or a dispersion in said fountain medium at least one moiety having at least pH-indicating (col. 10, lines 17-20), whitening, fluorescent, phosphorescent, X-ray phosphor or conductive properties, said at least one moiety being an intrinsically conductive polymer (polyethylene glycol; col. 6, lines 28-30), the fountain medium further comprising a di- or polyhydroxy- and/or carboxy groups or amide or lactam group containing organic compound being selected from the group consisting of 1,2-propandiol, propylene glycol, diethylene glycol (col. 6, lines 19-20), N-methyl pyrrolidinone and di (ethylene glycol) ethyl ether acetate, said

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aqueous fountain medium having a viscosity at 25°C after stirring to constant viscosity of 30 mPa.s as measured according to DIN 53211 (Abstract).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 3, 5-7, 18, 19, 21-23, 31, 32, and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Kirchmeyer (US 2002/0077450).

Uchida teaches the claimed invention except for said moiety being an intrinsically conductive polymer, the intrinsically conductive polymer being selected from the group consisting of polyanilines, polyaniline derivatives, polypyrroles, polypyrrole derivatives, polythiophenes and polythiophene derivatives, the intrinsically conductive polymer being selected from the group consisting of homopolymers of (3,4-methylenedioxy-thiophene), (3,4-methylenedioxythiophene) derivatives, (3,4-ethylenedioxythiophene), (3,4-ethylenedioxythiophene) derivatives, (3,4-propylenedioxythiophene), (3,4-propylenedioxythiophene) derivatives, (3,4-butylenedioxythiophene) and (3,4-butylenedioxythiophene) derivatives and copolymers thereof, and the fountain medium further containing a polyanion being a poly(styrenesulfonate).

Kirchmeyer teaches an intrinsically conductive polymer being selected from the group consisting of polyanilines, polyaniline derivatives, polypyrroles, polypyrrole derivatives, polythiophenes ([0044]) and polythiophene derivatives, the intrinsically

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conductive polymer being selected from the group consisting of homopolymers of (3,4-methylenedioxy-thiophene) ([0031]), (3,4-methylenedioxythiophene) derivatives, (3,4-ethylenedioxythiophene), (3,4-ethylenedioxythiophene) derivatives, (3,4-propylenedioxythiophene), (3,4-propylenedioxythiophene) derivatives, (3,4-butylenedioxythiophene) and (3,4-butylenedioxythiophene) derivatives and copolymers thereof, and a solution containing a polyanion being a poly(styrenesulfonate) ([0032]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uchida to have the solution as taught by Kirchmeyer, in order to utilize components that dissolve quickly in solvents.

5. Claims 4, 11, 13, 20, 27, 29, 33, 40, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Kirchmeyer as applied to claims 2, 3, 5-7, 18, 19, 21-23, 31, 32, and 34-36 above and further in view of Louwet (6,632,472).

Uchida in view of Kirchmeyer teaches the claimed invention except for the intrinsically conductive polymer being a polymer or copolymer of a 3,4-dialkoxythiophene in which the two alkoxy groups may be the same or different or together represent an optionally substituted oxy-alkylene-oxy bridge, and an aprotic organic compound with a dielectric constant ≥ 15 and a non-ionic or anionic surfactant.

Louwet teaches an intrinsically conductive polymer being a polymer or copolymer of a 3,4-dialkoxythiophene in which the two alkoxy groups may be the same or different or together represent an optionally substituted oxy-alkylene-oxy bridge (col. 6, lines 36-44), and an aprotic organic compound with a dielectric constant ≥ 15 (col. 4, lines 30-34) and a non-ionic or anionic surfactant (col. 11, lines 1-3).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Uchida to have the solution as taught by Louwet, in order to reduce the amount of energy required to dissolve the ingredients as taught by Louwet.

6. Claims 10, 26, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Domoto (US 6,827,435).

Uchida teaches the claimed invention except for heating the receiving medium within 10 minutes after printing to a temperature of 100 to 250°C.

Domoto teaches a printing device having a step subsequent to printing in which a receiving medium within 10 minutes of printing is heated to a temperature of 100 to 250°C (col. 6, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uchida to have the heating of the receiving medium as taught by Domoto, in order to prevent the printed images from smearing.

7. Claims 12, 28, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Kirchmeyer and Louwet as applied to claims 4, 11, 13, 20, 27, 29, 33, 40, and 42 above, and further in view of Domoto.

Uchida in view of Kirchmeyer and Louwet teaches the claimed invention except for heating the receiving medium within 10 minutes after printing to a temperature of $\leq 150^{\circ}\text{C}$.

Domoto teaches a printing device having a step subsequent to printing in which a receiving medium within 10 minutes of printing is heated to a temperature of $\leq 150^{\circ}\text{C}$

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(col. 6, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Uchida to have the heating of the receiving medium as taught by Domoto, in order to prevent the printed images from smearing.

8. Claims 15, 16, 44 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Van Hunsel (US 5,658,713).

Uchida teaches the claimed invention except for the fountain medium containing a dye and/or pigment such that the color tone of the ink and color tone of the aqueous fountain medium cannot be distinguished by the human eye when applied onto a receiving medium, and the printing ink containing a dye and/or pigment such that the color tone of the ink and the fountain medium cannot be distinguished by the human eye when applied onto a receiving medium.

Van Hunsel teaches a fountain medium containing a dye and/or pigment (col. 13, lines 7-9; transparent dampening solution) such that the color tone of the ink and color tone of the aqueous fountain medium cannot be distinguished by the human eye when applied onto a receiving medium, and the printing ink containing a dye and/or pigment such that the color tone of the ink and the fountain medium cannot be distinguished by the human eye when applied onto a receiving medium (col. 13, lines 7-9; transparent dampening solution).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uchida to have the transparent dampening solution as taught by Van Hunsel, in order to easily determine which areas of the plate are covered with ink.

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9. Claims 1, 14, 17, 30, 43 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Damme (6,165,691).

Uchida teaches a process for offset printing comprising, applying a printing ink to a printing plate and wetting said printing plate with a fountain comprising a fountain medium comprising between 50% by weight and 100% by weight of water (col. 4, lines 11-16; col. 6, lines 44-46; col. 8, lines 10-14; col. 10, lines 14-16; solution comprises at most 15% organic solvent, 10% thickening agent, and 10% surfactant; remaining part is water), said fountain further comprising as a solution or a dispersion in said fountain medium at least one moiety having at least pH-indicating (col. 10, lines 17-20), and said aqueous fountain medium having a viscosity at 25°C after stirring to constant viscosity of 30 mPa.s as measured according to DIN 53211 (Abstract).

Uchida does not teach the at least one moiety having at least whitening, fluorescent, phosphorescent, or X-ray phosphor properties.

Damme teaches a fountain solution having at least one moiety having at least whitening (titanium oxide; Abs.), fluorescent, phosphorescent, or X-ray phosphor properties.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uchida to have the titanium oxide as taught by Damme, in order to provide a desired color to the solution.

10. Claims 1, 17, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Appel (GB 2254917).

Uchida teaches a process for offset printing comprising, applying a printing ink to

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a printing plate and wetting said printing plate with a fountain comprising a fountain medium comprising between 50% by weight and 100% by weight of water (col. 4, lines 11-16; col. 6, lines 44-46; col. 8, lines 10-14; col. 10, lines 14-16; solution comprises at most 15% organic solvent, 10% thickening agent, and 10% surfactant; remaining part is water), said fountain further comprising as a solution or a dispersion in said fountain medium at least one moiety having at least pH-indicating (col. 10, lines 17-20), and said aqueous fountain medium having a viscosity at 25°C after stirring to constant viscosity of 30 mPa.s as measured according to DIN 53211 (Abstract).

Uchida does not teach the at least one moiety having at least whitening, fluorescent, phosphorescent, or X-ray phosphor properties.

Appel teaches a fountain solution having at least one moiety having at least whitening, fluorescent (Abs.), phosphorescent, or X-ray phosphor properties.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Uchida to have a solution with fluorescent properties as taught by Appel, in order to effectively determine the thickness of the solution film on a printing cylinder.

Response to Arguments

11. Applicant's arguments filed 10/24/2006 have been fully considered but they are not persuasive.

Applicant argues that Uchida does not disclose a medium containing at least one moiety having at least pH-indicating properties. Applicant argues that the moiety of Uchida contains pH-adjusting components. The examiner disagrees. The claims recite

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a moiety having "pH-indicating properties." The properties of the moiety of Uchida are such that they indicate a particular pH which can be determined by a pH indicating test. See column 10, lines 17-20. The fact that the components in the Uchida solution that indicate pH also adjust the pH does not prevent these components from meeting the requirements of the claims.

Claim 31 recites a moiety having an intrinsically conductive polymer. Uchida teaches the use of the intrinsically conductive polymer polyethylene glycol in the fountain solution. See column 6, lines 28-30. In order to expedite prosecution in the event that applicant persuasively argues that polyethylene glycol is not an intrinsically conductive polymer, the examiner also relies on the teaching of an intrinsically conductive polymer in secondary reference Kirchmeyer.

Applicant argues that Kirchmeyer provides no suggestion to incorporate the particular compounds into the solution of Uchida. Kirchmeyer teaches polythiophene compounds that dissolve quickly in solvents. Kirchmeyer also teaches that these solutions can be used in the offset printing process ([0044]), which uses dampening solutions to effectuate printing.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (571) 272-2172. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KDW
March 18, 2007



Daniel J. Colilla
Primary Examiner
Art Unit 2854